

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

LYNN CLARK, II,

Petitioner,

v.

SCOTT CROW,

Respondent.

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Case No. CIV-22-296-J

**ORDER**

Plaintiff, a state prisoner appearing pro se, brings this action pursuant to 28 U.S.C. § 2254, seeking habeas relief from a state court conviction. The matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 4]. On May 16, 2022, Judge Erwin issued a Report and Recommendation recommending that the Petition for Writ of Habeas Corpus be dismissed, with prejudice, as untimely. [Doc. No. 8]. Petitioner was advised of his right to object to the Report and Recommendation by June 2, 2022. No objection has been filed. Petitioner has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 8] and DISMISSES Petitioner's Petition for Writ of Habeas Corpus, with prejudice, as untimely.

IT IS SO ORDERED this 14<sup>th</sup> day of June, 2022.



BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE